REMARKS

Claims 23, 25, 28, and 32-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lien et al. (U.S. Patent No. 6,493,050) in view of Kadota et al. (U.S. Patent No. 5,818,550) and Ikeda et al. (U.S. Patent No. 6,671,025). In response, Applicants traverse the rejection because there is no motivation to combine Ikeda and Kadota with Lien.

In the outstanding rejection on page 3, the Examiner acknowledges that Lien fails to disclose bus lines located directly below the columnar spacer and another one in a location that separates the first and second color filter layers. Instead, on page 5 of the Office Action the Examiner asserts that Lien discloses a columnar spacer 108 that can be formed over the bus lines area, as shown in FIG. 2, and that Ikeda at FIG. 19 shows the drain bus line 103a located directly below the columnar spacer (113/117/115). It is further asserted that Kadota discloses color filter layers (9R/9G/9B) that can be formed with the bus line 6c therebetween. Accordingly, the Examiner asserts that it would be obvious to modify Lien to have a bus line directly below a spacer and to separate color filter layers as in the present invention. Applicants respectfully disagree.

In the outstanding rejection, Applicants respectfully submit that the Examiner has not established *prima facie* case of obviousness because the Examiner has not provided any rationale for combining the references. In the rejection, the Examiner asserts that it would have been obvious to one skilled in the art at the time the invention was made to employ at least a bus line directly located below a spacer as shown by Ikeda for keeping a constant cell gap and improving a display aperture. However, Ikeda fails to

disclose or suggest another bus line in a location that separates the first and second resin color filter layers. Ikeda does teach both type of positioning of one and another bus line at the same time. Moreover, even assuming that the Examiner is correct that there is motivation to utilize the spacers of Ikeda in modifying Lien, there is still no rationale provided for why one would further modify the proposed structure by using Kadota. Since there is not clear articulation of a reason why the claimed invention would have been obvious, Applicants respectfully submit that the basic requirements of the *prima facie* case of obvious has not been met. Moreover, Applicants respectfully submit that there is no motivation to employ spacers at a location other than as taught by Ikeda since locating the spacers as taught by Ikeda would result in a constant cell gap.

The present Application calls for one of the plurality of bus lines to be located directly below the columnar spacer, and another of the plurality of bus lines to separate a first resin color filter layer of the resin color filter layer from a second resin color filter resin of the resin color filter layer thin film transistor substrate when viewed in the direction perpendicular to the thin film transistor substrate. Applicants respectfully submit that the Examiner is using impermissible use of hindsight to achieve the present invention. Accordingly, for all these reasons, the rejection is improper and should be withdrawn, which is respectfully requested.

Claims 26-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lien in view of Kadota, and further in view of Kurematsu et al. (U.S. Patent No. 5,764,318). Applicants traverse the rejection for the reasons recited above with respect to the rejection of independent claim 23.

The deficiencies of Lien and Kadota are noted above. Kurematsu is merely cited for disclosing that the common substrate is of alkaline glass. However, even if Kurematsu is combined with Lien, there is still no motivation to arrange the bus lines such that one is below the columnar spacer and another separates a first resin color filter layer from a second resin color filter layer of the resin color filter layer thin film transistor substrate when viewed in a direction perpendicular to the thin film transistor substrate. Accordingly, withdrawal of the §103(a) rejection of claims 26-27 is respectfully requested.

New claim 38 is added and further clarifies that a side of the one bus line located directly below the columnar spacer and that is located between the thin film transistor substrate and a common electrode substrate is located at an intersection of different color layers of the color filter layer when viewed in a direction perpendicular to the thin film transistor substrate. Support for this feature is shown in FIG. 24 of the present Application which has a columnar spacer 30 located above a drain bus line 26. The left hand side of the columnar spacer 30 extending between the substrates 12', 12 is located at an intersection of the B color layer and the G green color layer of the color filter layer when viewed in a direction perpendicular to the substrate. Since none of the Lien, Kadota, or Ikeda references alone or in combination disclose or suggest this feature, Applicants earnestly solicit allowance of new claim 38 for the reasons recited above with respect to the rejection of independent claim 23 and also based on the features recited in this claim.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely. The Commissioner is hereby authorized to charge any additional fees which may be required to this Application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

Joseph P. Fox
Registration No. 41,760

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300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978
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